

Reference is made to the following documents:

- D1: US 2003/106447 A1
- D2: US-A-5 634 730 (cited by the applicant)
- D3: US-A-5 063 451

1. Clarity (Article 6 PCT)

It is not clear from claim 1 in which direction the frame is vertically movable, and in which direction the printhead travels, as there is no orientation given (e.g. towards or orthogonal to medium surface, in gravity direction etc.). Thus it is not clear if or how the two moving directions differ.

It is also not clear how the lower position is reached and maintained (e.g. manual force, weight, motor etc.).

Further it is not clear how the carriage is "powered".

Even further it is not clear how the printhead is "brought to touch" the print medium, especially in light of the description, page 6 ("tape passes between the needles, as printing means, and the surface of the zone to be printed").

2. Novelty

The present application does not satisfy the criterion set forth in Article 33(2) PCT because the subject-matter of claim 1 is not new in respect of prior art as defined in the regulations (Rule 64(1)-(3) PCT).

Document D1 (see especially paragraph 35 to 54; figs. 2-4, 12) discloses a semiautomatic electronic printer, comprising a housing that can be positioned on the surface of a medium to be printed and remain stationary during a print sequence, and electronic control means (10, 12, 13, 14) disposed in the housing and adapted to acquire data to be printed from a separated computer and to store such data, as well as adapted to control the operation of a print head, comprising, as a moving unit inside the housing:

- a push-button (15) located in the upper part of the housing and movable with respect to same housing;
- at least a switch (8a, b) for controlling the printing, disposed on said moving unit and activated by the movement of the moving unit with respect to the housing;
- a frame (1), being rigidly connected to said push-button and mounted, in a spring-charged relationship, inside said housing in such a manner to be vertically movable between two positions, the one being upper or rest position and the other being lower or work position, such lower position being reached and maintained at least for the time necessary to execute the printing operation;
- a powered carriage (4), sustained, in its upper part, by said frame and adapted to transport a print head (3) for a predefined printing travel, and controlled by electronic control means;
- the print head being provided with proper printing means (6) and positioned inside the housing, rigidly connected to said carriage with its printing means being disposed in the lower part and brought to touch said medium to be printed in the printing operation; and
- a printed circuit board (12) sustained in its upper part by said frame, including said electronic control means.

Documents D2 and D3 also disclose these features.

Claim 1 does not differ from any of the above. Claim 1 lacks novelty.

3. Inventive step

The additional features of dependent claims 2-15 only concern minor modifications, which must be regarded as normal design steps for the person skilled in the art. A combination of any of their features with claim 1 would not appear to add anything inventive (Article 33(3) PCT) and therefore does not seem to form a suitable basis for a new claim.

4. Comments

Independent claim 1 is not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(i) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).

**WRITTEN OPINION
SEPARATE SHEET**

International application No. PCT/GB03/03424

The document D1 has not been identified in the description nor as the relevant background art disclosed therein been discussed. The requirements of Rule 5.1(a)(ii) PCT are, thus, not fulfilled.